OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): Charles Torborg et al.

Docket No.

EE-083-US-01

**COPY OF PAPERS ORIGINALLY FILED** 

Serial No.

09/724,493

Filing Date:

11/28/2000

Examiner:

N/A

Group Art Unit:

N/A

Invention:

LOW GLOSS POWDER COATING COMPOSITIONS

I hereby certify that the following is being deposited with the United States Postal Service as first class mail in an envelope addressed to The Assistant Commissioner for Patents, Washington, D.C. 20231:

- 1. Transmittal of information Disclosure Statement (Under 37 CFR 1.97(b) or 1.97(c)), 2 pages;
- 2. Form PTO-1449, 2 page;
- 3. References, (7);
- 4. International Search Report; and
- 5. Postcard.

LeeAn Molin

Typed or Printed Name of Person Signing Certificate

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT Docket No. (Under 37 CFR 1.97(b) or 1.97(c)) EE-083-US-01 In Re Application Of: Charles Torborg et al. Filing Date Examiner **Group Art Unit** Serial No. N/A 11/28/2000 N/A 09/724,493 Title: LOW GLOSS POWDER COATING COMPOSITIONS **COPY OF PAPERS ORIGINALLY FILED** Address to: **Assistant Commissioner for Patents** Washington, D.C. 20231 37 CFR 1.97(b) The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: ☐ the statement specified in 37 CFR 1.97(e); OR the fee set forth in 37 CFR 1.17(p).

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT Docket No. (Under 37 CFR 1.97(b) or 1.97(c)) EE-083-US-01 In Re Application: Charles Torborg et al. Group Art Unit Serial No. Filing Date Examiner N/A N/A 09/724,493 11/28/2000 COPY OF PAPERS LOW GLOSS POWDER COATING COMPOSITIONS ORIGINALLY FILED **Payment of Fee** (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p)) e amount of is attached. The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 06-2241 as described below. A duplicate copy of this sheet is enclosed. Charge the amount of Credit any overpayment. X Charge any additional fee required. Certificate of Transmission by Facsimile\* Certificate of Mailing by First Class Mail I certify that this document and authorization to charge deposit I certify that this document and fee is being deposited 07/11/2002 account is being facsimile transmitted to the United States with the U.S. Postal Service Patent and Trademark Office (F as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. (Date) Signature LeeAn Molin Typed or Printed Name of Person Mailing Certificate Typed or Printed Name of Person Signing Certificate \*This certificate may only be used if paying by deposit account. Dated: 07/11/02 Bin Su, Reg. No. 51,309 H.B. Fuller Company, Patent Department 1200 Willow Lake Blvd. P.O. Box 64683 St. Paul, MN 55164-0683 Ph ne: 651-236-5502 Fax: 651-236-5126 CC:

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Form PTO-A820 (also f rm PTO-1449)

## PATENT COOPERATION TREATY

JUN 2 5 2002 T.B. FULLER PATENT DEPT.

From the INTERNATIONAL SEARCHING AUTHORITY

To: SU & JOHNSON Attn. Su, Bin 1200 Willow Lake Blvd.

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

Box 64683 St. Paul, Minnesota 55164-0683 UNITED STATES OF AMERICA	(PCT Rule 44.1)			
	Date of mailing (day/month/year) 21/06/2002			
Applicant's or agent's file reference EE-083-W0-01	FOR FURTHER ACTION See paragraphs 1 and 4 below			
International application No. PCT/US 01/ 44313	International filing date (day/month/year) 27/11/2001			
Applicant				
H.B. FULLER LICENSING & FINANCING, INC.				

1. X	The app	licant is hereby r	otified that the International Search Report has been established and is transmitted herewith.
	Filing of The app	l amendments a licant is entitled,	ind statement under Article 19: if he so wishes, to amend the claims of the International Application (see Rule 46):
	When?	The time limit to International Se	or filing such amendments is normally 2 months from the date of transmittal of the earch Report; however, for more details, see the notes on the accompanying sheet.
	Where?	Directly to the	International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20. Switzerland Fascimile No.: (41-22) 740.14.35
	For mor	e detailed instr	uctions, see the notes on the accompanying sheet.
2.	The app Article 1	licant is hereby r 7(2)(a) to that eff	notified that no International Search Report will be established and that the declaration under lect is transmitted herewith.
з. 🔲	With rec	gard to the prote	est against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
	the ap	e protest togethe plicant's request	r with the decision thereon has been transmitted to the International Bureau together with the to forward the texts of both the protest and the decision thereon to the designated Offices.
	no	decision has be	en made yet on the protest; the applicant will be notified as soon as a decision is made.
4. Furt	ther actio	n(s): The app	licant is reminded of the following:
If pr	the application in the applicati	ant wishes to aven, must reach the	the priority date, the international application will be published by the International Bureau, bid or postpone publication, a notice of withdrawal of the international application, or of the e International Bureau as provided in Rules 90 <i>bis</i> .1 and 90 <i>bis</i> .3, respectively, before the preparations for international publication.
With	nin 19 mo ishes to po	nths from the prostpone the entry	iority date, a demand for international preliminary examination must be filed if the applicant y into the national phase until 30 months from the priority date (in some Offices even later).
l be	efore all de	esignated Offices	iority date, the applicant must perform the prescribed acts for entry into the national phase s which have not been elected in the demand or in a later election within 19 months from the elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentian 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl. Fax: (+31-70) 340-3016

Authorized officer

Jan Boon

Form PCT/ISA/220 (July 1998)

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#### NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended, it must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new:
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

- [Where originally there were 48 claims and after amendment of some claims there are 51]:
  "Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers;
  claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
- [Where originally there were 15 claims and after amendment of all claims there are 11]: "Claims 1 to 15 replaced by amended claims 1 to 11."
- 3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
  "Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or "Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
- [Where various kinds of amendments are made]:
   \*Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added.\*

#### "Statement under article 19(1)" (Rule 46.4)

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The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international appplication is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim

#### Consequence if a demand for international proliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence)

#### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

Notes to Form PCT/ISA/220 (second sheet) (January 1994)

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#### NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

#### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international politication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the International application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

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Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to flie the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been its filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

#### What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

Notes to Form PCT/ISA/220 (first sheet) (January 1994)

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## PATENT COOPERATION TREATY

## **PCT**

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or age		FOR FURTHER ACTION	see Notification of (Form PCT/ISA/22	f Transmittal of International Search Report 20) as well as, where applicable, item 5 below.
International apple		International filing date (da	ny/month/year)	(Earliest) Priority Date (day/month/year)
PCT/US 01/	44313	27/1.1/20	01	28/11/2000
Applicant				
H.B. FULLEI	R LICENSING & FI	NANCING, INC.		
This International according to Arti	al Search Report has been cle 18. A copy is being tra	prepared by this Internation	nat Searching Authors Bureau.	ority and is transmitted to the applicant
This Internationa	al Search Report consists of the sea	of a total of3 a copy of each prior art doc	sheets. ument cited in this r	report.
1. Basis of the	•			
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<li>b. With reg was carr</li>	ard to any nucleotide and ried out on the basis of the	f/or amino acid sequence sequence listing :	disclosed in the into	ernational application, the international search
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	filed together with the inter	national application in comp	outer readable form	ı.
	furnished subsequently to	this Authority in written form	).	
	furnished subsequently to	this Authority in computer re	eadble form.	
	the statement that the sub international application as	sequently furnished written filed has been furnished.	sequence listing do	es not go beyond the disclosure in the
	the statement that the info furnished	rmation recorded in comput	er readable form is	identical to the written sequence listing has been
2.	Certain claims were four	nd unsearchable (See Box	1).	
3.	Unity of invention is lack	ting (see Box II).		
4. With regard	to the title,			
ואן	the text is approved as sul	omitted by the applicant.		
	the text has been establist	ned by this Authority to read	as follows:	
	to the abstract,			
	the text is approved as su		(h) his thin Authorit	er as it appears in Rev III. The applicant man
	within one month from the	date of mailing of this inter-	national search rep	y as it appears in Box III. The applicant may, ort, submit comments to this Authority.
6. The figure of	of the drawings to be publ	shed with the abstract is Fe	gure No.	
	as suggested by the appli			None of the figures.
	because the applicant fail-	•		
	because this figure better	characterizes the invention		
Form PCT/ISA/210	(first sheet) (July 1998)			

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International Application No PCT/US 01/44313

A. CLASSI	IFICATION OF SUBJECT MATTER C09D5/03 C09D133/14 C08J3/	°20 C08659/42	
According t	to international Patent Classification (IPC) or to both national class	sification and IPC	
	SEARCHED		
Minimum di IPC 7	ocumentation searched (classification system followed by classification (COSD COSD COSG)	cation symbols)	
Documenta	tion searched other than minimum documentation to the extent th	at such documents are included in the fields s	earched
	iata base consulted during the international search (name of data ternal, PAJ, WPI Data	base and. where practical, search terms used	±)
C. DOCUM	ENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the	relevant passages	Relevant to claim No.
A	WO 94 01504 A (BASF LACKE & FAR ;WOLTERING JOACHIM (DE); CIBURA (DE); KR) 20 January 1994 (1994 example 4.2	KLAUS	1
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X Furt	her documents are listed in the continuation of box C.	X Patent family members are listed	in annex.
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7	' June 2002	21/06/2002	
Name and	maiting address of the ISA  European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tet (+31-70) 340-2040 Tx 31 651 epo ni Fax (+31-70) 340-3016	Schueler, D	

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## INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 01/44313

C.(Continu	ation) DOCUMENTS CONSIDERED TO BE RELEVANT	
Gategory	Citation of document, with indication, where appropriate of the relevant passages	Relevant to claim No
A	PATENT ABSTRACTS OF JAPAN vol. 1995, no. 10, 30 November 1995 (1995-11-30) & JP 07 188587 A (MITSUI TOATSU CHEM INC), 25 July 1995 (1995-07-25) abstract	1
A	DATABASE WPI Section Ch, Week 199923 Derwent Publications Ltd., London, GB; Class Al3, AN 1999-267350 XP002201175 & JP 11 080606 A (KANSAI PAINT CO LTD), 26 March 1999 (1999-03-26) abstract	1
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X	JP 07 048529 A (MIZUTANI PAINT KK) 21 February 1995 (1995-02-21) table 3	30-34

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### FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 35

Present claim 35 relates to a product defined (inter alia) by an undisclosed pencil hardness. The use of this parameter in the present context is considered to lead to a lack of clarity within the meaning of Article 6 PCT. It is impossible to compare the parameter the applicant has chosen to employ with what is set out in the prior art. The lack of clarity is such as to render a meaningful complete search impossible. Consequently, the search has been stopped after claim 34.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.



# International application No. PCT/US 01/44313

## INTERNATIONAL SEARCH REPORT

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)
This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:
Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
2. X Claims Nos.:
Claims Nos.:     because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)
This International Searching Authority found multiple inventions in this international application, as follows:
As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:
Remark on Protest  The additional search fees were accompanied by the applicant's protest.  No protest accompanied the payment of additional search fees.

Form PCT/ISA/210 (continuation of first sheet (1)) (July 1998)

## INTERNATIONAL SEARCH REPORT

Information on patent family members

PCT/US 01/44313

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